



**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 10/12/04

AGENDA ITEM 6

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** La Vista Quarry Permit Extension: Comments on the Draft Environmental Impact Report

**RECOMMENDATION:**

It is recommended that the City Council, by motion, authorize submittal of the attached draft letter to the County.

**BACKGROUND:**

As a follow-up to the October 5 work session, attached is a draft letter containing recommended City comments to Alameda County regarding the Draft Environmental Impact Report (DEIR) for the proposed La Vista Quarry Permit Extension. The letter contains comments noted by Councilmembers at the work session and areas identified by staff during its review of the DEIR. The Council is requested to review the letter, revise as appropriate, and authorize its transmittal.

Prepared by:

A handwritten signature in cursive script that reads "David Rizk".

David Rizk, AICP  
Associate Planner

Recommended by:

A handwritten signature in cursive script that reads "Sylvia Ehrental".

Sylvia Ehrental,  
Director of Community and Economic Development

Approved by:

  
\_\_\_\_\_  
Jesús Armas, City Manager

Attachments: Draft Letter

10/7/04



October 12, 2004

Bruce Jensen, Senior Planner  
Alameda County Community Development Agency, Planning Department  
224 W. Winton Avenue, Room 111  
Hayward, CA 94544

Dear Mr. Jensen:

Thank you for the opportunity to review and comment on the draft environmental impact report (DEIR). The City Council conducted a work session on October 5 and had a formal review of the DEIR on October 12. This letter reflects the City Council's concerns.

Reservations have been expressed associated with any expansion of hours or operations, especially as related to lighting and noise associated with the proposed nighttime operations of the asphalt-concrete batch plant and other aspects of the operation. In spite of anticipated slightly greater regional air quality impacts related to trucks traveling from other batch plants in the region to supply materials for nighttime projects, it is recommended that more consideration for Alternative 2 be given by the County decision-makers.

Questions have also been raised regarding how certain mitigation measures will be implemented and whether such measures are feasible, particularly as related to hours of operation, and noise and dust control. Adjacent residents have relayed their concerns with dust and noise regarding existing operations. While such concerns are anticipated to be addressed in the Mitigation Monitoring and Reporting Program if the project is approved, the City considers it appropriate at this time to relay these concerns to you.

Also, since the DEIR indicates certain noise and air quality impacts would not be mitigated, the Council questions whether there are overriding considerations to justify these impacts. Therefore, the City feels it is important that the County be clear on what overriding considerations would be possible to justify approving the project.

1. Traffic/Circulation

Concerns have been relayed regarding safety associated with truck traffic, and reference was made to a child killed in the area by a truck. The DEIR indicates on page 5-34 that there would not be expected to be safety issues with pedestrian movement along Mission Boulevard, given the limited amount of pedestrian traffic in

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that area. The City would recommend that measures be taken to ensure safe truck and pedestrian movement at the intersection of the Quarry Road with Mission Boulevard, including having clear, visible pedestrian crossings marked on the pavement, adequate stopping distances for trucks, flag person during peak truck activity, etc.

2. Dust/Air Quality

Mitigation Measure 6-4 indicates the quarry operations would be expected to generate a maximum of 70 pounds of dust a day, which is indicated as below the State standard to be considered a significant impact. However, the DEIR identifies several measures that would help further reduce dust-related impacts, including watering unpaved roads, suspending operations during periods when winds exceed 20 mph and ensuring no visible dust plumes extend beyond project boundaries. The City would recommend that the frequency of watering be more defined than "sufficient frequency to suppress dust," since such standard could be interpreted differently. Also, who would be responsible for monitoring wind speeds? As indicated previously, concerns have been raised regarding how such measures will be enforced and whether they are feasible measures (i.e., when inspections will be conducted, etc.).

In addition, staff is concerned with impacts to City streets and would recommend that any permit approval by the County include a condition that the quarry operator be responsible for removal of material spilled onto local roads from haul trucks traveling to or from the quarry site and to repair local roads damaged due to heavy quarry truck traffic.

3. Noise

Impact and Mitigation Measure 7-3 related to noise associated with expanded plant hours provide decibel thresholds for daytime (50 dBA  $L_{eq}$ ) and nighttime (45 dBA) hours for nearby residences. The Measure indicates "The noise shielding may be accomplished either by sound insulation near the asphalt plant or by developing a grading plan that creates a soil berm barrier between the asphalt plant and the residences to the southeast." The City feels the Measure should also require that sound measuring devices be installed near adjacent residences to the southeast and northwest and that examples of specific feasible sound insulation measures be identified. As previously stated, questions have been raised regarding how noise thresholds would be enforced.

Also related to the proposed nighttime operations of the batch plant, the Visual Quality section of the DEIR did not specifically address lighting impacts associated with nighttime operations of the plant, and should. Impacts should address not only localized light, but views toward the quarry site from points throughout Hayward.

4. Hydrology and Water Quality (Groundwater)

Impacts and Mitigation Measure 9-2 addresses impacts related to surface water and groundwater quality, indicating such impacts could result from an accidental release of environmentally deleterious materials. The DEIR requires preparation and implementation of an Alameda County-approved Spill Prevention, Countermeasure,

and Control (SPCC) plan. The DEIR should identify specific measures that are typically found in such plans associated with quarry operations. The City recommends that if annexation is approved, such plan also be approved by the Hayward Fire Department's Hazardous Materials Office, since Hayward would be responsible for oversight of the quarry if it were annexed into Hayward.

Regarding groundwater supply and recharge, Impact 9-3 indicates the project could deplete groundwater supplies or interfere with groundwater recharge. The DEIR concludes that implementation of the project would not substantially deplete groundwater supplies or substantially interfere with groundwater recharge. To support this conclusion, the DEIR references observations by the project geotechnical consultant from borings that indicate ongoing quarry excavations have typically resulted in the drawdown of groundwater in areas where active quarry operations are underway, but that groundwater has not been significantly drawn down in much of the sloped areas of the site, based on "evidence of persistent year-round springs and on measurable increases in water levels in deep borings within the existing facility following heavy rains." The DEIR also indicates that the Hayward fault zone typically acts as a groundwater barrier, with groundwater levels typically higher to the east of the fault zone, and concludes that since most proposed quarry operations would occur east of the fault zone and based on the preceding information, it is unlikely that quarry activities would significantly affect groundwater downslope of the site (i.e., west of the fault zone). Due to observations of higher groundwater levels in areas of active quarry activities east of the Hayward fault zone and because homes along Bodega Street that utilize groundwater for a water supply are also located east of the fault zone, staff would recommend that a mitigation measure be included that would require regular monitoring of the groundwater levels in the immediate vicinity via piezometers or other instruments, to ensure significant impacts to groundwater levels do not occur from quarry operations, and provide measures to be undertaken should such impacts occur. Such measure could also require regular testing of the groundwater to ensure groundwater quality is not negatively affected by quarry activities.

Concerns have also been expressed related to the proposed 20-year extension through 2028. In this context and given the uncertainty in estimating future demands for resources and products from the quarry, the City would encourage consideration of a greater array of alternatives, such as a shorter time-frame or maintaining operations at current levels.

Again, thank you for the opportunity to comment on the draft environmental impact report. A separate letter will be sent from staff that addresses specific, more detailed items in the DEIR. The City looks forward to working closely with the County as the environmental impact report is processed and, should County staff recommend approval of the project, as project conditions of approval are developed. It is hoped that public noticing of future meetings and discussions will ensure residents in the area are apprised of the project and deliberations throughout the development review process.

Should you have any questions, please do not hesitate to contact Associate Planner David Rizk at 583-4004 or at [david.rizk@hayward-ca.gov](mailto:david.rizk@hayward-ca.gov).

Sincerely,

Jesús Armas  
City Manager

cc: Mayor and City Council